REMARKS

Claims 1 – 20 are currently pending. Claims 1, 15, and 20 are the pending independent claims. In the Office Action, the Examiner indicated that Claims 1-14 and 18-19 are now allowed. Further, because these claims are allowed, the Examiner has withdrawn the previous restriction and rejoined Claims 15-17 and 20. Applicants were invited to amend these method and process claims to a scope commensurate with that of the allowed product claims.

In response to this invitation, Applicants have reviewed independent Claims 15 and 20 for appropriate amendments; however, it is respectfully submitted that the scope of Claims 15 and 20 is already believed to be substantially commensurate with allowed product Claim 1. Therefore, it is believed that no amendments along these lines are warranted.

In summary, Claim 1 calls for an extended-release antibiotic composition which comprises, among other things, the following: at least one antibiotic, and greater than 50 weight percent, based on the total weight of the composition, of a polymer component, wherein the polymer component comprises at least one pharmaceutically acceptable hydrophilic and water-soluble polymer, the polymer component having a viscosity of less than about 50 cps, and wherein the at least one hydrophilic and water-soluble polymer is present in an amount greater than 10 weight percent of the composition.

Similarly, Claim 15 calls for a process for preparing an extended-release antibiotic composition, the process comprising, among other things, the steps of blending at least one antibiotic, polymer compound and, optionally, one or more excipients to form a composition, wherein the polymer component is present in an amount greater than 50 weight percent, based on the total weight of the composition, the polymer component comprises at least one pharmaceutically acceptable hydrophilic and water-soluble polymer, and the polymer component having a viscosity of less than about 50 cps, and the at least one hydrophilic and water-soluble polymer is present in an amount greater than 10 weight percent of the composition.

Likewise, Claim 20 calls for a method of using an extended-release antibiotic composition comprising, wherein the composition comprises at least one antibiotic, and greater than 50 weight percent, based on the total weight of the composition, of a polymer component, wherein said polymer component comprises at least one pharmaceutically

acceptable hydrophilic and water-soluble polymer, and said polymer component has a viscosity of less than about 50 cps, wherein the at least one hydrophilic and water-soluble polymer is present in an amount greater than 10 weight percent of the composition, wherein said method comprises administering the composition in an effective amount for the treatment of bacterial infection in a patient in need of such treatment.

Thus, the process recited in Claim 15 would appear to make a final composition which includes at least the limitations of product Claim 1. Likewise, the method of using an antibiotic composition of Claim 20 seems to call for use of a composition which includes at least the limitations of product Claim 1. Therefore, it is believed that the scope of Claims 15 and 20 is already substantially commensurate with that of allowed product Claim 1.

The Examiner also asked that dependent Claims16 and 17 be amended to recite a "process" rather than a "method", consistent with Claim 15. The requested change has been made in both claims.

In light of the foregoing, Applicants respectfully request the Examiner reconsider the application, withdraw the rejections, and issue a notice of allowance at the earliest possible convenience.

In the event this response is not timely filed, Applicants hereby petition for the appropriate extension of time and request that the fee for the extension along with any other fees which may be due with respect to this paper be charged to our Deposit Account No. **12-2355**.

Respectfully submitted,

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